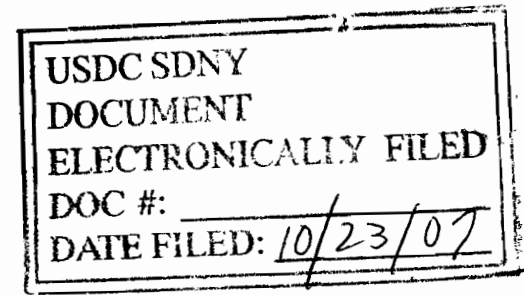


Scheindlin, J

Christopher M. Schierloh, Esq. (CS-6644)
CASEY & BARNETT, LLC
317 Madison Avenue, 21st Floor
New York, New York 10017
(212) 286-0225
Attorneys for Plaintiff



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
INDEMNITY INSURANCE COMPANY OF
NORTH AMERICA a/s/o HERMAN MILLER,
INC.,

07 CIV 8211 (SAS)

Plaintiff,

- against -

**NOTICE AND ORDER OF
VOLUNTARY DISCONTINUANCE**

MEDITERRANEAN SHIPPING COMPANY
S.A.,

Defendant.
-----X

IT IS HEREBY NOTICED that the above-captioned action, in accordance with the provisions of Rule 41(a) of the Federal Rules of Civil Procedure, be and hereby is voluntary dismissed without prejudice and without costs, no party having answered or otherwise appeared in the action, subject to re-opening in thirty (30) days in the event settlement is not consummated.

Dated: New York, New York
October 18, 2007

CASEY & BARNETT, LLC
Attorneys for Plaintiff

By: *[Signature]*
Christopher M. Schierloh (CS-6644)

SO ORDERED:
[Signature]
U.S.D.J.
Shira A. Scheindlin, USDJ

DATE: OCT 22, 2007